IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.1123 OF 2007

Shri.Asagar Abdul Kadir Shaikh ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr.V.V.Gangurde Advocate for Applicant
Mr.V.B.Konde-Deshmukh A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 20, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in C.R.No.I-407 of 2006 of Ambernath Police Station, Dist.Thane. The said case is mainly under Section 307 of IPC.

3. The injured witness has stated that the applicant has assaulted him in the stomach with knife. From the medical certificate, it is seen that due to the said assault, intestine of the injured witness came out. The statement of this

witness directly implicates the applicant.

4. The learned advocate for the applicant submitted that applicant is suffering from epilepsy due to which he gets fits and hence, the applicant may be released on bail on that ground. As far as this aspect is concerned, the learned A.P.P. has submitted that the condition of the applicant is stable at present and the applicant is receiving treatment for his medical problems. Looking to this fact, I am not inclined to grant bail to the applicant on this ground. However, the liberty is granted to prefer a fresh application for bail if the trial is not concluded by the end of August, 2007.

5. Application is rejected.

[Smt. V.K.Tahilramani, J.]